

UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

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OSHER ROTKIN,

Plaintiff,

Case No. 3:17-cv-02576

-against-

STIPULATION OF DISMISSAL

AMERICAN EXPRESS,

WITH PREJUDICE

Defendants.

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Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff Osher Rotkin ("Plaintiff") and Defendant AMERICAN EXPRESS ("Defendant") by and through their respective Counsel of record file this Stipulation of Dismissal with Prejudice on account of settlement and in support thereof state as follows:

1. Because of disputes over liability and damages and because of the uncertainties of litigation, Plaintiff and Defendant have compromised and settled all claims and causes of action that were or could have been asserted by Plaintiff against Defendant arising out of or in any way related to the matters raised in the above captioned action, filed under case no. 17-cv-02576 and Plaintiff no longer wishes to pursue this action against Defendant.

2. Each party entered into the settlement agreement voluntarily and

knowingly, and understands fully the meaning and effect of its executing said agreement. The parties agree that the terms of the settlement agreement are just and fair.

3. Defendant has asserted no counterclaim against Plaintiff.

4. The parties agree that this action should be dismissed with prejudice, with each party to bear his or its own attorneys' fees and costs.

Dated: October 16, 2017

Respectfully submitted,

Edward B. Geller, Esq., P.C.

By /s/Edward B. Geller, Esq.

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